

## GOVERNMENT OF ANDHRA PRADESH

### ABSTRACT

Social Welfare - Kurnool District – Kosigi Village and Mandal – Land Acquired to an extent of Acs.18.73 Cts in Sy.No.157/A2, for providing house sites to the Weaker Section People – Sanction of Rs.24,22,456/- towards balance decretal charges, as per orders dated 17.09.2007 of the Hon'ble High Court in AS.No.701/2004 in OP.No.100/89 – Orders - Issued.

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### SOCIAL WELFARE (LA.2) DEPARTMENT

G.O Rt.No. 834

Dated: 12.10.2011

Read the following:-

1. From the District Collector, Kurnool Lr.Rc.No.H.8/2009, dated 21.02.2011.
2. From the Commissioner of Social Welfare, A.P., Hyderabad, Lr.No.LA4/1683/2011, dated 21.3.2011.
3. From the CCLA, A.P., Hyderabad Lr.No.G4/613/2011, dated 02.8.2011.

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### ORDER:

In the reference 3<sup>rd</sup> read above, the Special Chief Secretary to Government & Chief Commissioner of Land Administration, A.P., Hyderabad has stated that the LAO/Tahsildar, Adoni has acquired land to an extent of Ac.24-15 Cts in Sy.No.157/A2, situated at Kosigi Village & Mandal for providing house sites to the weaker sections vide Award No.5/84 dated 31.12.1984 duly fixing the rate at Rs.5,250/- and Rs.6,000/- per acre. On reference to the Sr. Civil Judge Court, Adoni in O.P.No.100/89, the Hon'ble Court in its orders dated 28.02.2000 has enhanced the Market Value @ Rs.30,000/- per acre. The LAO/MRO, Kosigi has filed AS No.701/2004 and the land owners have filed Cross Objections in A.P., High Court. The Hon'ble High Court in its orders dated 17.09.2007 has dismissed the same duly confirming the orders of the Lower Court. The Government Pleader for Appeals, A.P., High Court has opined that it is not a fit case to file further appeal in the Hon'ble Supreme Court of India. The Dist Collector, Kurnool has sent proposals and requested for sanction of Rs.24,22,456/- towards payment of balance decretal charges in O.P.No.100/89 for the land acquired to an extent of Ac.18.73 Cts (Ac.3.69+15.04) in Sy.No.157/A2, situated at Kosigi Village & Mandal for providing house sites to the weaker section people. The District Collector, Kurnool has further reported that the earlier the decree holders have filed EP.No.88/2008 duly attaching the bank account of RDO Office, Adoni, presently they have filed EP.No.61/2010 on the file of Sr. Civil Judge, Adoni. The Sr. Civil Judge, Adoni has fixed a proclamation dated on 7.9.2011 under order 21 Rule 66 for settling of sale of attached Government property i.e., Revenue Divisional Officer's Office, Adoni.

2. The Special Chief Secretary to Government & Chief Commissioner of Land Administration A.P., Hyderabad after verification and scrutiny of the proposals/calculation sheet submitted by the District Collector, Kurnool, has sent the comparative calculation sheet for sanction of Rs.24,22,456/- towards payment of balance decretal charges in O.P.No.100/89 for the land acquired to an extent of Ac.18-73 Cts in Sy.No.157/A2, situated at Kosigi Village & Mandal of Kurnool District for providing house sites to the weaker section people. He has further stated that the Commissioner of Legal Affairs of his office has opined that 'there is opinion of Government Pleader for Appeals, High Court dated 05.02.2009, Hon'ble High Court dismissed the appeal as well as Cross Objections vide Judgment dated 17.9.2007. The Opinion of the Government Pleader can be acted upon. There is enormous delay first in seeking legal opinion of the Government Pleader and then in submitting proposals for release of decretal amount The payment of interest subsequent to the judgment of the High court could have been avoided by taking immediate steps. Action should be initiated against the concerned for dereliction of duties'.

3. After careful examination of the matter, Government hereby accord sanction to the Commissioner of Social Welfare, A.P., Hyderabad for release an amount of Rs.24,22,456/- -(Rupees Twenty Four Lakhs Twenty Two Thousand Four Hundred and fifty Six only) to the District Collector, Kurnool, towards payment of balance decretal charges as per the orders of the 17.9.2007 of the Hon'ble High Court in AS.No.701/2004

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in O.P.No.100/89 in respect of the land acquired to an extent of Ac.18-73 Cts (15.04 + 3.69) in Sy.No.157/A2, and 159/A2 situated at Kosigi Village & Mandal of Kurnool District for providing house sites to the Weaker Section people.

4. The amount of expenditure sanctioned in para (3) above shall be met within the BE.2011-12 and debited to the following Head of Account.

**“2225-Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes – 01 – Welfare of Scheduled Castes – M.H.283- Housing – G.H.11-Normal State Plan – SH(08) Acquisition of House Sites to weaker sections in Indiramma Programme – 310/312 – Other Grants – in – Aid”.**

5. The Commissioner of Social Welfare, A.P., Hyderabad is directed to issue necessary proceedings to the District Collector, Kurnool accordingly.

6. The District Collector, Kurnool shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

7. This order does not require the concurrence of Finance (Expr.SW) Department, as per their instructions issued vide in U.O Note No.12869/196/A1/Esp.SW/2009 and U.O No. 15926/256/A1/1/Expr.SW/09, dated 17.08.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**J. RAYMOND PETER**  
**PRINCIPAL SECRETARY TO GOVERNMENT**

To  
The Special Chief Secretary to Government & Chief Commissioner of Land  
Administration, A.P., Hyderabad.  
The Commissioner of Social Welfare, A.P., Hyderabad,  
The District Collector, Kurnool.  
Copy to:  
The Director of Treasury & Accounts, A.P., Hyderabad,  
The Accountant General, A.P., Hyderabad,  
The District Treasury Officer, Kurnool District.  
Finance (Exp.SW/BG) Department  
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER